

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Annual Reports for the Year Ended December 31, 2002, Filed by Alternative
Telecommunications Utility-Telecommunications Resellers on a Confidential Basis

INFORMATION REGARDING CONFIDENTIAL FILINGS

Introduction

This information is being provided to assist Alternative Telecommunications Utility-Telecommunications Resellers ("resellers") who wish to request confidential handling of portions of their Alternative Telecommunications Utility-Telecommunications Reseller ("RES") annual reports. The statutory filing date for the RES annual report covering 2002 calendar year operations is April 1, 2003; 350 resellers are required to file this report for the 2002 calendar year. The Commission has the authority to compel the filing of this annual report pursuant to Wis. Stat. § 196.25.

Filing Process

The 2002 RES annual report is contained in the 2002 Other Telecommunications Annual Report Program, which is used by various telecommunications entities other than incumbent local exchange carriers. The 2002 RES annual report essentially requires information identical to that requested in the 2001 RES annual report. For the 2002 RES annual report program, which was released on January 27, 2003, the Commission has continued a paperless filing process. The 2002 RES program does not contain padlocks allowing users to file selected information on a confidential basis by locking the padlock next to the protected data. All 2002

Information Regarding 2002 RES Annual Report Confidential Filings

RES annual report filings must be accomplished via e-mail, with an encrypted, zipped attachment containing the exported 2002 annual report information, together with an export status report and edit check listing.

Filing of the 2002 RES annual report using the annual report program's e-mail capabilities (i.e., clicking on the "Export Data & Send to PSC" button in the program) will result in the entire report being available on a public basis. Any reseller wishing to file a portion of its 2002 RES annual report on a confidential basis should contact Commission staff concerning the particular procedures which must be followed for a manual annual report filing. Resellers wishing confidential handling must submit a request, in accordance with Wis. Admin. Code § PSC 2.12, with their manual filing. Subsequent to such manual filing, the Commission will issue a confidentiality determination in accordance with the rule. If the Commission denies a request for confidential handling, the information will be handled confidentially until 14 days after the determination, after which it will be posted on the Commission's website along with the remainder of the annual report.

Previous Confidentiality Rulings

Three resellers requested confidential handling of some or all of the following information on p. 6 of the 2001 RES annual report on the grounds that the information contained trade secrets, under Wis. Stat. § 134.90, and/or was information which would aid a competitor of a public utility, under Wis. Stat. § 196.14: Calculation of Assessable Revenues for Remainder and Telephone Relay Assessment Purposes; Cost of plant in Wisconsin utilized by the reseller for provision of telecommunications services in Wisconsin; Cost basis (including capital leases) of transmission facilities (excluding switches) in Wisconsin, including wire, cable, fiber optics or

Information Regarding 2002 RES Annual Report Confidential Filings

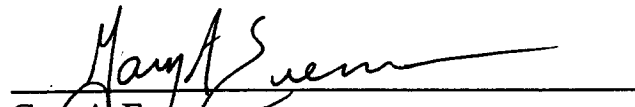
radio, and associated electronics owned, operated, managed or controlled by the telecommunications reseller, if in excess of \$400,000 as of December 31, 2001; and gross operating revenues, minutes of use and average number of customers generated by the provision of intrastate Wisconsin telecommunications services¹ information.

The Commission denied the requests, finding, among other things, that they failed to provide enough specific evidence to warrant confidential handling. Subsequently, a number of companies sought judicial review or filed a petition for reconsideration and stay of the Commission's determinations. The Commission voluntarily stayed its determinations pending the outcome of those court cases, which are still pending in the Dane County Circuit Court, and/or any subsequent related Commission action.

Resellers requesting confidential handling of portions of their 2002 RES annual reports should be aware that, under Wis. Admin. Code § PSC 2.12, they have the burden of establishing a reasonable basis to believe that the information is exempt from disclosure under one of the grounds listed in Wis. Admin. Code § PSC 2.12(3)(a).

Dated at Madison, Wisconsin, 24 February 2003

For the Commission:



Gary A. Evenson
Acting Administrator
Telecommunications Division

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¹ The revenue data contained in this item is used to determine assessable revenues for intrastate universal service fund ("USF") assessment purposes.